



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA

OA/350/OD 213/2019
PARTICULARS OF THE APPLICANT:

SUDHIR SHIL, son of late Lal Mohan Shil, aged about 56 years, working as Postal Assistant, Alipore Head Office, residing at 'Shree Nivas' 73, Maharaj Tagore Road, Post Office Dhakuria, Kolkata 700 031, West Bengal

..... APPLICANT

V E R S U S

- i) Union of India, through the Secretary, Ministry of Communication, Department of Posts, Dak Bhavan, New Delhi 1.
- ii) The Chief Post Master General, Yogyog Bhavan, C. R. Avenue, Kolkata 700 012
- iii) Director of Postal Service (Head Quarter), O/o the Chief Post Master General, West Bengal Circle, Kolkata 700012
- iv) Post Master General, Kolkata Region, Yogayog Bhawan, C R Avenue, Kolkata 700012
- v) The Sr. Postmaster, Alipore, H'PO, Kolkata - 700027
- vi) Sri Hari Hazra, LSG, Alipore, Kolkata 700027.

..... RESPONDENTS

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/213/2019

Date of Order: 06.03.2019

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

Sudhir Shil =-vs- D/o India Post

For the Applicant(s): Mr. A. Chakraborty, Counsel

Ms. P. Mondal, Counsel

For the Respondent(s): Mr. A.K.Chattopadhyay, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Mr. A.Chakraborty, Ld. Counsel for the applicant, and Mr. A.K.Chattopadhyay, Ld. Counsel appearing for Official Respondents, in extenso.

2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

“ An order do issue directing the respondents to grant the benefit of promotion in favour of the applicant in the post of LSG with effect from 14.06.2017 and also consider his case for promotion to the post of HSG.”

3. The case of the applicant, in nutshell, as submitted by Ld. Counsel is that the applicant was issued with a charge sheet dated 17.08.2016 and, subsequently, he was served with the punishment order dated 07.06.2017 imposing punishment of recovery of Rs. 50,000/- in five equal instalment. Ld. Counsel submitted that the applicant received reply through RTI wherein it was stated that the applicant was considered for promotion but due to pendency of disciplinary proceedings, the same could not be recommended. Ld. Counsel submits that punishment of recovery is not a bar to grant of promotion. Ld. Counsel for the applicant submitted that ventilating his grievance, the applicant preferred representation dated 17.09.2018 (Annexure-A/6) before the Respondent authorities but no

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communication has been made to the applicant from the said authorities till date. He, however, submitted that the applicant's grievance may be redressed if a direction is issued to Respondent No. 2 to consider the representation of the applicant as at Annexure-A/6 within a specific time frame.

4. Having heard Ld. Counsel for both the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No. 2 to consider the representation of the applicant as at Annexure-A/6, if the same has been filed and is pending for consideration, and pass a reasoned and speaking order as per rules and regulations within a period of six weeks from the date of receipt of copy of this order. I make it clear that if after such consideration the grievance of the applicant is found to be genuine and he is otherwise eligible then expeditious steps be taken within a further period of six weeks to grant him the promotional benefit. It is also made clear that if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 2, by Speed Post, for which, he undertakes to deposit the cost with the Registry within a week.

7. Copies of this order be handed over to the Ld. Counsel for the parties.

(A.K.Patnaik)
Member(J)

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